

GEORGE J. TICHY II, Bar No. 041146  
MICHELLE R. BARRETT, Bar No. 197280  
KIMBERLY L. OWENS, Bar No. 233185  
JUSTIN T. CURLEY, Bar No. 233287  
LITTLER MENDELSON  
A Professional Corporation  
650 California Street, 20th Floor  
San Francisco, California 94108  
Telephone: (415) 433-1940  
Facsimile: (415) 399-8490  
E-mail: gtichy@littler.com, mbarrett@littler.com,  
kowens@littler.com, jcurley@littler.com

Atorneys for Defendants  
HSBC MORTGAGE CORPORATION (USA) and  
HSBC BANK USA, N.A.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Philip Wong, Frederic Chaussy, and Leslie Marie Shearn, individually, on behalf of all others similarly situated, and on behalf of the general public,

Case No. C 07 2446 MMC [ECF]

**NOTICE OF UNAVAILABILITY OF  
COUNSEL**

**Plaintiffs,**

V.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

### Defendants.

**TO THE COURT CLERK, ALL PARTIES, AND ALL ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that, from December 22, 2007 through and including January 4, 2008, Defendants' counsel will be unavailable for all purposes, including, but not limited to, receiving and responding to notices of any kind, appearing in Court, responding to *ex parte* applications, attending depositions, or otherwise communicating with the Court and opposing counsel.

1 Request is hereby made that no motions, *ex parte* applications, or orders to show cause be  
2 filed or noticed between December 22, 2007 and January 4, 2008. Defendants have not received  
3 service of any notices, subpoenas, motions, or otherwise which set any matter, hearing, deposition or  
4 deadline during this time period.

5 Dated: November 13, 2007  
6  
7

/s/ Michelle R. Barrett

MICHELLE R. BARRETT  
GEORGE J. TICHY II  
KIMBERLY L. OWENS  
JUSTIN T. CURLEY  
LITTLER MENDELSON  
A Professional Corporation  
Attorneys for Defendants  
HSBC MORTGAGE CORPORATION (USA)  
and HSBC BANK USA, N.A.

13 Firmwide:83596956.1 023404.1043  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28